

17.10.110 SEPA threshold determinations.

A threshold determination is required for any proposal that is not categorically exempt within ninety days that an application and supporting documentation has been deemed complete. All threshold determinations shall result in a determination of nonsignificance (DNS), or a determination of significance (DS); provided, that the city may also issue a mitigated determination of nonsignificance (MDNS) based on conditions attached to the proposal, or on changes to or clarifications of the proposal made by the applicant.

A. After submission of an environmental checklist and prior to a threshold determination, the city shall notify the applicant if it is considering issuing a DS. As a result, the applicant may clarify or change features of the proposal to mitigate the impacts which make the DS likely. If a proposal continues to have a probable significant adverse environmental impact, even with the mitigating measures, an EIS shall be prepared.

B. If a preliminary SEPA threshold determination was not made in conjunction with a notice of application, and no probable significant adverse impacts are anticipated, a determination of nonsignificance shall be issued and a fifteen-day comment period may be required.

C. If a predecision open record public hearing is required, the SEPA threshold determination must be issued at least ~~fifteen~~fourteen days before the hearing.

D. If the city makes a SEPA determination of significance (DS) concurrently with the notice of application, the notice of application shall be combined with the determination of significance and scoping notice.

E. Whenever the city makes a threshold determination, it shall seek to include the public notice for the SEPA action with the notice of application or notice of decision for any associated land use application(s) or permits; provided, that:

1. If no public notice is required for the permit or approval, the city shall give notice of the DNS or DS by publishing a notice in the city's newspaper of record;
2. Whenever the city issues a DS, all public notices shall state the scoping procedure for the required EIS; and
3. Whenever the city issues a DEIS (draft EIS), or SEIS (supplemental EIS), notice of the availability of those documents shall be given by at least two of the following methods:
 - a. Indicating the availability of the DEIS or SEIS in any public notice required for an associated land use application or permit;
 - b. Posting the property, for site-specific proposals;
 - c. Publishing notice in the city's newspaper of record;
 - d. Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered;
 - e. Notifying the news media; and/or
 - f. Publishing notice in agency newsletters and/or sending notice to agency mailing lists.

F. Mitigation measures incorporated in the MDNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the city.

G. Nothing in this section shall limit the authority of the city in its review or mitigation of a project to adopt or otherwise rely on environmental analyses and requirements under other laws, as provided by Chapter 43.21C RCW. (Ord. 3889 § 3 (Exh. A), 2017)

17.10.120 Determination of consistency.

As part of all project and application reviews, the city shall determine if a proposed project or development activity is consistent with applicable city development regulations, and the goals, policies, and objectives of the adopted comprehensive plan.

Commented [MM1]: Changed to 14 days to align with State requirements and to match other comment periods in the code.

A. All multifamily development proposals, nonresidential development proposals, and mixed-use development proposals shall be subject to a site plan review in accordance with the provisions of this title unless waived in writing by the city. (Ord. 3889 § 3 (Exh. A), 2017)